IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 30TH NOVEMBER 2007 / 9TH AGRAHAYANA 1929

WP(C).No. 35431 of 2007(R)

AGAINST THE ORDER IN EP 68 2005 IN
OS.34/1996 of SUB COURT,THODUPUZHA

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PETITIONER:

SIVARAMAN, S/O.NARAYAN, NADACKANAL
HOUSE, VADDAKKUMMURI KARA, THODUPUZHA VILLAGE,
DO TALUK.

BY ADV. SRI.JOSE JOSEPH ARAYAKUNNEL
SRI.VARGHESE PARAMBIL

RESPONDENT:

A.GOPALAKRISHNAN, S/O.AYYAPPAN,
AYKKARAKUNNEL HOUSE, VANNAPPURAM KARA,
DO VILLAGE, THODUPUZHA TALUK.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.Krishnan, J.

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W.P(C).No.35431 of 2007

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Dated this the 30th day of November, 2007.

JUDGMENT

This Writ Petition is preferred to give a direction to the Sub Judge, Thodupuzha to dispose of E.P.No.68 of 2005 in O.S.No.34 of 1996 as expeditiously as possible. The matter came before this Court on an earlier occasion and this Court directed that there can be a sale of 25 cents of property and if the amount realised is not sufficient to discharge the decree debt, the court may consider regarding the sale of the balance property for the discharge of the decree debt.

2. Grievance of the writ petitioner is that after the said order, the learned Subordinate Judge has granted time liberally to the judgment debtor and has posted the matter to 15.1.2008. The suit is of the year 1996 and the decree holder is expected to enjoy the benefit of the decree as expeditiously as possible.

3. Therefore, I direct the court below to advance the

hearing date of the Execution Petition after giving notice to both sides and consider it and dispose of the matter as expeditiously as possible, at any rate, within a time frame of two months from today.

Writ Petition is disposed of accordingly.

M.N.Krishnan,
Judge.

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